

Message Text

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21

ACTION EB-11

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC 2352

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E. O. 11652: N/A

TAGS: ETRN, AU

SUBJECT: CIVAIR: CHARTER UNDERSTANDING

REF: (A) STATE 67297; (B) STATE 38288

1. EMBASSY CABLING TODAY TEXT OF DRAFT MEMORANDUM OF UNDERSTANDING AS ORIGINALLY AGREED TO BY CIVIL AVIATION DEPARTMENT. DRAFT IS STILL STUCK IN FOREIGN MINISTRY.

2. CONTENTS REF B CONVEYED TO MINISTER FISCHER IN FOREIGN MINISTRY IN EARLY MARCH. FISCHER INDICATED AT THAT TIME THAT HE WOULD CONSULT WITH FOREIGN OFFICE'S LEGAL SECTION AND TRANSPORT MINISTRY AND ADVISE US FURTHER. HE HAS NOT YET DONE SO. WE REMINDED FISCHER LAST WEEK THAT WE ARE STILL WAITING FOR A REPLY. FISCHER SAID HE WISHED TO DISCUSS ISSUE WITH US ON HIS RETURN FROM CIVAIR NEGOTIATING SESSIONS IN BURMA NEXT WEEK. HE HAD IMPRESSION, HOWEVER, THAT IT MIGHT BE NECESSARY TO REVISE SOME OF THE LANGUAGE IN MEMORANDUM ITSELF BUT HAD NO FURTHER DETAILS AT THAT TIME.

3. WE QUERIED CIVIL AVIATION DEPARTMENT DIRECTLY YESTERDAY ON THIS SUBJECT. DR. DVORAK INFORMED US THAT IN RESPONSE TO INQUIRY FROM FOREIGN MINISTRY, TRANSPORT MINISTRY HAD RECENTLY ADVISED FOREIGN MINISTRY THAT IT WOULD PREFER POSTPONEMENT

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OF FORMAL CONCLUSION OF MEMORANDUM OF UNDERSTANDING BECAUSE

TRANSPORT MINISTRY INTENDS TO CIRCULATE TO INTERESTED AUSTRIAN PARTIES FOR COMMENT WEEK AFTER EASTER REVISED AUSTRIAN ABC CHARTER REGULATIONS. TRANSPORT MINISTRY'S POSITION WAS THAT CHANGES IN THE TEXT OF MEMORANDUM MIGHT POSSIBLY RESULT FROM PROPOSED AUSTRIAN CHANGES.

4. DVORAK CITED RECENT U.S. CAB PROPOSED AMENDMENTS TO U.S. TGC RULES AND SAID HE BELIEVED PROPOSED AUSTRIAN CHANGES WERE ALONG THE SAME LINES AS PROPOSED U.S. CHANGES. FOR THIS REASON, DVORAK PERSONALLY THOUGHT IT VERY UNLEKELY THAT CHANGES IN TEXT OF MEMORANDUM WOULD BE NECESSARY FROM TRANSPORT MINISTRY STANDPOINT. HOWEVER, DVORAK SAID THAT PROCEDURE INVOLVED IN CIRCULATING TO INTERESTED GROUPS PROPOSED ABC CHANGES AND CONSIDERATION OF COMMENTS RECEIVED IS EXPECTED TO TAKE 6-8 WEEKS.

5. DVORAK STRESSED THAT WHILE TRANSPORT MINISTRY CAN LIVE WITH PRESENT INTERIM AGREEMENT FOR TIME BEING, IT REMAINS STRONGLY INTERESTED IN FORMAL AGREEMENT, PARTICULARLY TO INSURE SMOOTH OPERATION OF CHARTER TRAFFIC FROM STANDPOINT OF AUSTRIAN TOURISM.

6. WE HAVE NOT YET SEEN PROPOSED AUSTRIAN REVISIONS OF ITS ABC CHARTER REGULATIONS. HOWEVER, WE UNDERSTAND TWO ELEMENTS ARE A REDUCTION OF THE CURRENT 90-DAY PRE-DEPARTURE FILING OF PASSENGER LISTS TO 60 DAYS AND POSSIBLE ABOLITION OF WAITING LIST REQUIREMENT. WE WILL ATTEMPT TO OBTAIN COPY OF AUSTRIAN PROPOSED CHANGES.

7. WOULD APPRECIATE DEPARTMENT'S VIEW ON TRANSPORT MINISTRY'S POSITION AS OUTLINED BY DVORAK. ALSO ADVISE WHETHER DEPARTMENT BELIEVES ANY CHANGES IN TEXT OF MEMORANDUM MIGHT BE REQUIRED FROM U.S. STANDPOINT.

8. WE WILL SEE FISCHER AT EARLIEST OPPORTUNITY AND INTEND TO PRESS FOR QUICK CONCLUSION OF FINAL AGREEMENT. IF NECESSARY, WE PLAN TO EXCALATE MATTER WITHIN GOA. HUMES

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